



U.S. Department of Justice

United States Attorney
Southern District of New York

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New York, New York 10007

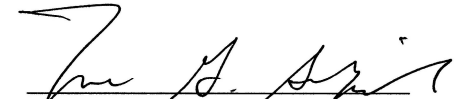
March 28, 2022

By ECF

The Honorable Lorna G. Schofield
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Application **GRANTED in part**. The initial conference scheduled for March 30, 2022, is **ADJOURNED to May 4, 2022, at 4:10 p.m.** By **April 27, 2022**, the parties shall file a joint letter and proposed case management plan. (See Dkt. No. 7.) The Clerk of Court is respectfully directed to close the motion at Dkt. No. 12.

Dated: March 28, 2022
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Re: *Denson v. United States, et al.*, No. 22 Civ. 314 (LGS)

Dear Judge Schofield:

This Office represents defendant the United States in the above-captioned matter brought pursuant to the Federal Tort Claims Act. I write to respectfully request a 47-day adjournment of the March 30, 2022 pretrial conference, to May 16, 2022 or later, and a corresponding extension of the March 29, 2022 deadline for submission of a joint status letter and proposed case management plan. Plaintiff Anthony Denson has consented to this adjournment.

Although Plaintiff filed his Complaint on January 12, 2022, this Office was not served until March 1, 2022. Pursuant to Federal Rule of Civil Procedure 12(a)(2), the United States has 60 days from service on the U.S. Attorney to serve an answer to a complaint. The Government's deadline to answer, move against, or otherwise respond to the Complaint is therefore May 2, 2022—the next business day after 60 days from the March 1 service date.

On January 31, 2022, Your Honor scheduled an initial pretrial conference for March 30, 2022. (ECF No. 7.)¹ On March 25, 2022, Your Honor ordered the parties to file a joint status letter and proposed case management plan as soon as possible and no later than March 29, 2022, at noon. (ECF No. 10.) We respectfully request that the Court adjourn the initial pretrial conference until a date approximately two weeks after the Government's May 2 deadline to respond to the Complaint. Because this Office was not served until March 1, the Government is in the process of reviewing the Complaint and related materials. We respectfully submit that a pretrial conference on or after May 16, 2022 would promote judicial economy and effective case management. This is the Government's first request for an adjournment or extension of time in this matter.

We thank the Court for its consideration of this request.

¹ The January 31, 2022 Order also instructed the parties to file a proposed case management plan and joint letter seven days before the initial pretrial conference. Not complying with that deadline was an oversight for which the undersigned apologizes to the Court.

Page | 2

Respectfully,

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cc: Plaintiff's Counsel (By ECF)